HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:15768 OF 2007

Dated: 26.07.2007

-

Between:

K. Venkateshwarlu

..**Petitioners**

And

1. The Superintending Engineer,
   Panchayat Raj (RWs) Department,
   Kurnool circle, Kurnool Town & District
   and others.

..Respondents

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:15768 OF 2007

ORDER: (per Hon'ble Smt. Justice T. Meena Kumari)

The present writ petition is filed seeking to declare the inaction of the respondents in not regularizing the services of the applicant in the category of the helper Grade II duly absorbing him into the regular service of the Panchayat Raj Department as illegal and further seeking to set aside the order dated 12.12.2006 in M.A.No.3726 of 2006 in O.A.No.6977 of 1999 as well as the order dated 19.4.2004 in O.A.No.6977 of 1999 and to direct the respondents to forthwith absorb the applicant into regular service of the Panchayat Raj Department in the cadre of Helper grade-II by regularizing his services.

The petitioner herein is the applicant before the Tribunal. He filed the above O.A. seeking a direction to the respondents to absorb him into regular employment in a suitable post as per his eligibility and educational/technical qualifications.

Since there was no representation on behalf of the applicant in the O.A., the Tribunal dismissed the O.A. for default. Hence, the applicant filed M.A.No.3726 of 2006 seeking condonation of delay of 2 years 5 months 28 days in filing the restoration application. The tribunal having observed that the applicant has not shown any cause and has not explained day to day delay and there is no reason to entertain the M.A., dismissed the same. Having aggrieved by the same, the present writ petition is filed by the applicant.

Heard the learned Counsel for the petitioner and the learned Government Pleaders for Panchayatraj & Rural Development and Finance & Planning.

The O.A. was dismissed in the year 2004 and the above M.A. was filed in the year 2006 i.e., nearly after two and half years. The applicant filed O.A. seeking his absorption into regular employment. In such a case, he must be diligent in prosecuting the matter. The reason assigned by the applicant that he has no knowledge about dismissal of

the case till 2006 does not show any bonafides on his part and apart from that, he is not able to show any sufficient cause to condone the day to day delay. In that view of the matter, we have no hesitation to hold that the order of the tribunal does not suffer from any illegality and it needs no interference.

Accordingly, the Writ petition is dismissed. No order as to costs.

_____

Justice T. Meena Kumari

_____

Justice G. Chandraiah

Date: 26th July, 2007
Nn/Gurc.

HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:15768 OF 2007

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

26/07/2007

-

-

-

-